

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 24-CR-20168-ALTONAGA(s)

UNITED STATES OF AMERICA

v.

JOSEPH JULES PLANCHER,

Defendant.

SPEEDY TRIAL REPORT

The United States, through the undersigned Assistant United States Attorney, submits this Speedy Trial Report in the above-captioned matter. The Speedy Trial Act requires that a defendant's trial commence within 70 days from the latter of either the date of indictment or the date of the defendant's initial appearance before a judicial officer. *See* 18 U.S.C. § 3161(c)(1); *see also United States v. Tinklenberg*, 131 S.Ct. 2007, 2010 (2011). The relevant dates and calculations in this matter are as follows:

1. On August 13, 2024, a superseding indictment was returned as to the defendant. (DE:28).
2. The defendant first appeared before a judicial officer on the superseding indictment on August 16, 2024. (DE:31).
3. Therefore, August 16, 2024, is the first day for the purposes of speedy trial calculations.
4. On August 23, 2024, the co-defendants filed a Joint Motion to Continue Trial. (DE:35).

5. On the same day, this Court entered an order granting the Joint Motion (DE:35) and set the trial of this matter to begin on November 4, 2024. (DE:36). In granting the Motion, this Court found that the interests of justice served by a continuance outweigh any interest of the public or the defendant in a speedy trial. Therefore, the time from the filing of Motion, August 23, 2024, to and including November 4, 2024, is excluded from the speedy trial calculation. (*Id.*).
6. On October 4, 2024, the defendant filed an Unopposed Motion to Continue Trial. (DE:51).
7. On the same day, this Court entered an order granting the defendant's Motion (DE:51) and continued the trial of this matter to begin on December 30, 2024. (DE:52) In granting the Motion, this Court found that the interests of justice served by a continuance outweigh any interest of the public or the defendant in a speedy trial. Therefore, the time from the filing of defendant's Motion, October 4, 2024, to and including December 30, 2024, is excluded from the speedy trial calculation. (*Id.*).
8. On December 13, 2024, the United States filed an Unopposed Motion to Continue Trial. (DE:83).
9. On December 16, 2024, this Court entered an order granting the Motion (DE:83) and continued the trial of this matter to begin on January 13, 2025. (DE:84). In granting the Motion, this Court found that the interests of justice served by a continuance outweigh any interest of the public or the defendant in a speedy trial.

Therefore, the time from the filing of United States' Motion, December 13, 2024, to and including January 13, 2025, is excluded from the speedy trial calculation. (*Id.*).

10. The United States computes that, pursuant to 18 U.S.C. §3161(c)(1), seven of the seventy days of non-excludable time have lapsed. The net time remaining is therefore sixty-three days. The final date upon which the Defendant may be tried is March 10, 2025.
11. The defendant's trial is currently set to commence prior to the last day of the defendant's 70-day speedy trial period.
12. The undersigned conferred with counsel for the defendant, who agrees with the calculation as to the speedy trial clock and how many non-excludable days have elapsed.

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 6, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on counsel of record via Notice of Electronic Filing generated by CM/ECF.

/s/ Audrey Pence Tomanelli

Audrey Pence Tomanelli
Assistant United States Attorney